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July 20, 2020

DENIED. However, due to the Court's schedule, the initial pretrial conference previously scheduled for July 27, 2020 at 11:30 a.m. will now take place at 5:30 p.m. on that same date.

SO ORDERED. 7/21/2020.

**VIA E-MAIL**

Honorable Lewis J. Liman, USDJ  
United States District Court,  
Southern District of New York  
500 Pearl Street, Room 701  
New York, New York 10007



LEWIS J. LIMAN  
United States District Judge

Re: *O' Gorman v. Mercer Kitchen L.L.C. et al.*, No. 20-cv-01404  
Case No. 20-cv-01404

Dear Judge Liman,

The undersigned represents Defendant, The Mercer Hotel in the above captioned matter.

There is presently an initial conference scheduled for this matter on July 27, 2020. There is also a motion to dismiss pending which has not yet been fully briefed. The Mercer Hotel is moving to dismiss because it is not the real party in interest and not a joint employer.

Plaintiff will not consent to adjourn the conference. The Defense believes it may be premature given the pending motion and since the correct parties are not before this Court. However, we will proceed as the Court directs of course.

If the conference were to go forward, then any discovery plan would have to be revisited once the correct parties are in the case

We thank the Court for its attention to this matter.

Respectfully,

/s/ Claudia A. Costa

Claudia A. Costa, Esq.

CC: All counsel of record via ECF